TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

February 23, 2006 LB 975

political board, is going to grant you the opportunity to continue on that and to utilize that and then to get into compliance with your...with the feedlot.

SENATOR RAIKES: That's right.

SENATOR STUTHMAN: So, in other words, the way it is right now with the planning and zoning, and that is all controlled by the planning and zoning commission and the county board of commissioners or supervisors, there could be a lot of money spent, and do, from individuals that may never be able to utilize that information, may never be able to accomplish what they wanted to accomplish merely because three, five, or seven people have got the hammer for that. And that is the way it would have been in your situation, wouldn't it have been, Senator Raikes?

SENATOR RAIKES: Yes. In fact, in Saunders County, which is the one that I was involved in, there are actually two hurdles. There's a zoning advisory panel and then the supervisors, and I think their procedure there is that you can never get to the supervisors unless you first pass muster with the zoning commission. So you...there are two ways, in that particular setup, that you can get stopped.

SENATOR STUTHMAN: And in that process with the two hurdles that you have to cross through, you could have been...totally been 100 percent unanimous approval by the planning and zoning board or commission, but yet when they passed that comment on or that recommendation on to the final hurdle, which would have been the county board, there's no guarantee that that county board is going to approve that, is there?

SENATOR RAIKES: Right. They're two independent decisions. I'm sure the supervisors typically take into consideration the recommendation of the zoning board, but it is simply a recommendation. It's not any sort of a mandate, as I understand it.

SENATOR STUTHMAN: And that recommendation, you know, is...I feel is thought through very closely by the planning and zoning